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Date:	12/10/01 9:47pm
Subject:	Microsoft Settlement

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The whole basis of the trial against Microsoft is misguided and this latest settlement is not in the best interest of consumers. It is however in the best interest a handful of Microsoft's competitors who being unable to beat Microsoft in the marketplace, have resorted to the courts (without just cause).

It is not in the best interest of consumers to cobble Microsoft by trying to prevent it from enhancing it's products when that enhancement may harm a competitor.

A. When Microsoft added IE (Internet Explorer) and made it part of the operating system, that approach added many benefits to consumers.

1. Software developers were able to add support for Internet functionality into their applications, knowing that that functionality would be in the operating system. There's a number of benefits to software developers in this approach. For example, they can program to a known code base without the headaches associated with trying to support multiple different APIs and components and versions of each. Microsoft's approach can also reduce the cost for developers and therefore consumers by not requiring that software developers purchase and ship additional components as part of their application.

2. Software developers could add Internet browsing within their application via an ActiveX component -- something that Netscape had consistently refused to do. This meant customers could browse a web site as part of the functionality of any third party application.
It also made it easy for developers to add automated updating of their application over the Internet, from within their application.

3. Microsoft's integrated IE, was necessary for the Microsoft Help system to work. In Windows 98, Microsoft swapped to HTML Help, which is a help system based upon compiled HTML. IE was necessary for this to work.
For consumers this added many new benefits, including the ability to link to web pages from within the help system which made it easy for help system developers and technical documentation writers to provide updated documentation via this mechanism.
Microsoft took this approach as part of it's stated strategic direction, to implement HTML across their product range.

4. It's been the history of the software industry that vendors keep adding functionality to their products -- functionality that often harmed their competitors. Most consumer friendly operating systems have consistently added new functionality with each release of their product.
Microsoft has always added new functionality. From simple things like adding a TCP stack which meant that the previous suppliers of TCP stacks suddenly found themselves without a viable product. One company that had built it's business around supplying a TCP stack was put out of business. (A TCP stack is an inherent part of the communications capability of a computer and a basic component of Internet communications).
Microsoft added a mechanism that enabled applications to communicate within Windows (DCOM) and this meant that Hewlett Packard's product NewWave, was suddenly unviable. In the software development industry there's been a long tradition of this happening with vendors like Borland, Microsoft, and previously Symantec and Watcom, continually adding new functionality that meant some third party supplier's product became defunct.

There's actually thousands of examples of one vendor adding functionality to their product that then made there competitors products unviable, and in every case I can think of, consumers benefited.

Therefore I don't believe any action with regards the integration of the browser is necessary, warranted or in the best interests of consumers.

B. With regards Microsoft preventing computer resellers from modifying some components of the desktop, it is Microsoft's product and I think they have a right to determine whether it is modified or not by the reseller. In fact,

nearly every vendor has contracts that require distributors and resellers to agree not to modify in any way, the software that they sell. Most people don't have a problem with this as it is their intellectual property and any changes can reflect on their company and product.
This litigation against Microsoft over this issue appears to have singled out Microsoft solely because of their dominance within the operating systems area.

However Microsoft shouldn't be able to restrict resellers from also selling and loading onto the computer competing products, but this change to Microsoft's contracts has already been made and accepted as a result of previous litigation. In my opinion no further action is needed on this issue.

C. I don't know where this claim that Microsoft threatened and mislead software developers comes from as I've never heard of them doing this. As the main distributor of software development tools in Australia, we have contact with more commercial software developers than anyone else in this county. I've never heard Microsoft threaten or mislead developers over Java. Rather the contrary. I've heard Sun mislead and threaten quite a lot. Anyway, this is complete nonsense. Microsoft has not threatened or mislead developers with regards Java -- we would have heard about it if they did. Sun themselves has recently stated numerous times that Java does not in any way compete with Windows. When Java was first released I can remember them claiming otherwise, but they seem to have changed their mind on this issue. So if Sun and Microsoft both claim that Java doesn't compete with Windows, I can't see how the submission can claim that Microsoft tried to "subvert Java middleware technologies that threatened Microsoft's operating system monopoly". Java is an application development language for goodness sake, it's got nothing to do with the operating system!

As I stated at the beginning, this case is misguided. In fact some of the antagonists in this case are in fact worse offenders of restrictive practices than Microsoft. But I don't believe Microsoft to be guilty of most of the charges that have been bought against them.

Unfortunately many people see Microsoft as responsible for their computer system crashes, when in fact it is usually always an application or utility that is at fault. Microsoft has successfully published and marketed their APIs (APIs that other vendors have traditionally charged a lot of money for) and produced easy-to-use development environments that make it easy for developers to write Windows applications. Because it is now relatively easy and inexpensive to write Windows applications, many novice programmers have done so, producing applications that are buggy. In fact the calibre of most programmers is less than we would want and the use of runtime debugging and testing tools is less common than it should be -- so most applications have bugs that can crash the applications and sometimes the operating system. This has lead many users to blame Microsoft.

Also, I'm concerned that Universities continue to indoctrinate their students to be anti-Microsoft. When these students graduate, they are invariably anti-Microsoft. This makes them more difficult to train as most application development around the world is done in Microsoft Visual Basic or Microsoft C++ using the millions of components written for these compilers.

The Internet is a great tool, but it does make it easy for people to shoot their mouth off and hide behind anonymity. Many kids and other young people have been very vocal over this issue in recent years. They need to be able to state their opinions, but unfortunately many of them belong to the anti-Microsoft brigade and basically do not have the experience to know what they are talking about. They've simply followed the propaganda from the Universities, Sun Microsystems and jumped onto the media hype and bandwagon regarding this issue rather than taking a considered approach. In fact many people treat this issue with religious zeal -- the lack of facts and logic supports the anti-Microsoft stance.

When I look at the where most of the vocal people in this issue come from I
find they are mainly Apple users, University related people and students,
Sun and other Unix users, and kids. However, these are the people who form
the 5% of computer users who use alternate operating systems. The other 95%
of computer users are generally happy with Microsoft and their products! How
then can this litigation be justified in a "democratic" country when the
bulk of computer users, particularly in the business world, are happy with
Microsoft and their products?

Regards,

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